

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendment and following discussion, is respectfully requested.

Claims 1-7 are pending. Claim 1 is amended by the present amendment. Support for the amendment to Claim 1 can be found in the application as originally filed, at least at FIG. 3. Thus, no new matter is added.

In the outstanding Office Action, Claims 1-7 were rejected as being unpatentable over Yamaguchi et al. (U.S. Patent No. 5,725,210; herein Yamaguchi). Applicant respectfully traverses that rejection with regard to amended Claim 1. Further, Applicant respectfully traverses the assertion in the Advisory Action that “even if the claim language did recite such a feature, this is not necessarily a non-obvious variation of the invention disclosed by Yamaguchi.”¹

Amended Claim 1 is directed to a gaming machine that includes, in part, a gaming board including at least one winning hole whereby a prescribed number of balls is paid out as a ball falls into the winning hole. The machine also includes a display unit which displays images of a variable display game. The display unit is attached to a reverse face of the gaming board and is configured to display at least one color and/or at least one pattern corresponding to the at least one color and/or the at least one pattern of the gaming board and at least a part of the gaming board behind which the display is disposed has transparency.

Thus, a gaming machine with a display unit attached to a reverse face of a gaming board according to Claim 1 may advantageously display a dynamic image through a transparent portion of the gaming board, thereby making the game more exciting and providing various falling routes for game balls.² In other words, the gaming machine of Claim 1 provides a dynamic display and high quality images without limiting the display area

¹ Advisory Action at continuation sheet, line 3.

² Specification at page 3, lines 16-28.

by having units or apparatus located on the gaming board. The gaming machine provides more exciting Pachinko by providing various falling routes for the launched ball. This allows a player to enjoy the game for a long period of time.

Applicant respectfully submits that Yamaguchi fails to teach or suggest each of the features of independent Claim 1. For example, it is respectfully submitted that Yamaguchi fails to teach or suggest a display unit that is attached to a reverse face of a gaming board.

Yamaguchi describes a game machine that includes a picture 18 generated by a display on a variable display unit 2.³ The removable game board 3 of Yamaguchi is installed in front of the variable display unit 2 and Yamaguchi indicates that “[t]he base board is constituted of a sufficiently transparent board material . . . to avoid disturbing the liquid crystal display when viewing it from the front.”⁴ At column 2, lines 12-16, Yamaguchi merely indicates that “an area in front of the variable display unit” is arranged with decorations and nails. Further, as clearly shown in FIG.2 of Yamaguchi, the variable display unit 2 is arranged separately from the game board 3, and the variable display unit 2 and the game board 3 of Yamaguchi are not attached to one another. Moreover, Yamaguchi indicates that a winning ball guide 9 is arranged in an area between the game board 3 and the variable display unit 2.⁵

Thus, it is respectfully submitted that Yamaguchi fails to teach or suggest a gaming machine including a “display unit attached to a reverse face of the gaming board,” as required by amended Claim 1.

In addition, it is respectfully submitted that Yamaguchi actually teaches away from the feature of amended Claim 1. Not only does Yamaguchi indicate that a ball guide 9 is located between the game board 3 and the variable display unit 2, but according to

³ Yamaguchi at column 4, lines 7-10.

⁴ Yamaguchi at column 4, lines 12-15.

⁵ Yamaguchi at column 4, lines 23-24, and FIG. 2.

Yamaguchi, even if the ball guide 9 is omitted, there is no possibility to attach the game board 3 to the variable display unit 2 for the following reasons.

First, Applicant respectfully submits that Yamaguchi fails to disclose or otherwise suggest any provision of a hole or winning port that penetrates through the variable display unit 2. Accordingly, a ball in the game system of Yamaguchi cannot enter through the variable display unit 2 if the game board 3 and the variable display unit 2 as described by Yamaguchi were modified to be attached to each other.

Second, the game board 3 of Yamaguchi is removable, and this appears to be a very important feature for Yamaguchi's device. Accordingly, providing the variable display unit 2 with a hole (winning port) destroys the "removable" feature because locations (arrangements) of winning ports of alternate game boards 3 would be constrained to locations of holes of the variable display unit 2. In addition to invalidity of the effect of Yamaguchi's "removable" feature, this constraint causes many problems to be solved, for example, difficulty in installing the game board 3 to the variable display unit 2 while aligning the holes. However, Yamaguchi does not disclose or suggest any solution for such problems.

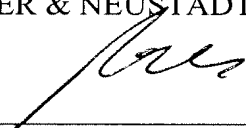
In order to present a *prima facie* case of obviousness, Yamaguchi would be required to disclose, teach or suggest either individually or in combination with the secondary reference, all of the elements of Claim 1. However, as discussed above, Yamaguchi fails to teach or suggest the "display unit is attached to a reverse face of the gaming board" as claimed. Likewise no secondary reference is asserted to cure the deficiency with regard to Yamaguchi.

As each of Claims 2-7 depend from Claim 1, it is respectfully submitted that these claims also patentably define over Yamaguchi. Because the rejection fails to cite prior art having all of the elements in the claim, the present Official Action fails to make a *prima facie* case of obviousness.

Consequently, in view of the present discussion and in view of the present amendment, it is respectfully submitted that the invention defined by Claims 1-7 is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this rejection is therefore requested.

Respectfully submitted,

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